

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 527

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO THE INDUSTRIAL COMMISSION; AMENDING SECTION 72-528, IDAHO CODE,
2 TO REVISE PROVISIONS RELATING TO REQUIRED STATISTICAL INFORMATION AND
3 TO MAKE TECHNICAL CORRECTIONS.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 72-528, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 72-528. STATISTICAL INFORMATION REQUIRED. (1) ~~Statistical~~
9 ~~information now provided to the industrial commission is inadequate and~~
10 ~~incomplete, making it impossible to compute the total cost of the workmen's~~
11 ~~compensation system, both to employers and the people of the state of Idaho.~~

12 ~~(2)~~ In addition to all information that sureties, self-insurers, the
13 state insurance fund, the industrial special indemnity fund and noninsured
14 employers now supply to the industrial commission, they shall, upon request
15 of the commission, be required to report to the industrial commission all
16 litigation expenses paid by them in any case litigated before the industrial
17 commission, and if appealed to a higher court, all costs expended on appeal.
18 This reporting requirement shall include all fees paid to attorneys,
19 all expenses charged by attorneys, charges for reports or testimony of
20 witnesses, costs of any depositions taken, any costs for investigation made
21 before or during the hearing, costs of research or legal briefs, and all
22 filing fees paid on account of the litigation.

23 ~~(3)~~ All attorneys engaged in representing any claimant in any
24 litigated ~~workmen's~~ worker's compensation claim must, upon request of the
25 commission, report to the industrial commission all attorney's fees and all
26 expenses which were incurred in the litigation and charged to the claimant.
27 This requirement shall extend to any appeal or appeals that may be taken to a
28 higher court by or on behalf of the claimant.

29 ~~(4)~~ ~~The industrial commission may expand the forms presently used~~
30 ~~by sureties or employers providing workmen's compensation coverage under~~
31 ~~the law by adding appropriate space or spaces to provide the additional~~
32 ~~information required in this section.~~

33 ~~(5)~~ The industrial commission shall supply all attorneys representing
34 claimants with a form upon which a report in compliance with this section can
35 be made.

36 ~~(6)~~ Reports ~~required~~ requested hereunder must be filed with the
37 industrial commission not later than thirty (30) days following the date of
38 the request, which will be subsequent to the time of entry of an award by the
39 industrial commission; or in the event of an appeal to a higher court, ~~not~~
40 ~~later than thirty (30) days following~~ subsequent to a final ruling by the
41 court.

1 (75) The industrial commission may make such rules as are necessary to
2 require compliance with the provisions of this section, including refusing
3 to allow attorneys who fail to comply with the provisions of this section the
4 right to appear before the industrial commission.

5 ~~(8) The provisions of this section shall apply to all cases in which an~~
6 ~~application for hearing is filed with the industrial commission on or after~~
7 ~~July 1, 1988.~~